

CHARLES KNAP.

[To accompany Bill H. R. No. 31.]

MARCH 1, 1860.

Mr. MOORHEAD, from the Committee on Commerce, made the following

REPORT.

The Committee on Commerce, to whom were referred the memorial of Charles Knap, and a bill for his relief, beg leave to submit the following report:

Mr. Knap entered into contract with the Secretary of the Treasury, on the 6th of December, 1851, to supply the cast and wrought iron for the custom-house at New Orleans. Having supplied a portion of the wrought-iron work and presented his bill, the Secretary refused payment on the ground that the price was excessive, and he was constrained to enter into a supplementary contract, January 6, 1853, modifying the price; on the 25th January, 1855, a further concession was made by an additional supplementary contract.

From an examination of the whole case, it appears that while the price in the original for wrought iron was extravagant, the price for cast iron was below the cost. The contractor agreed to a reduction of the former, and asks that the Secretary be authorized to afford such relief in the latter as he deems proper.

The engineer, Major Bowman, to whom the case was referred, says: "In my judgment he must lose money on the cast iron." Again he says: "Inasmuch as the supplementary contract was in a degree coerced, and the exercise of a doubtful right, it appears to me that principles of justice and equity applied to this case would give Mr. Knap relief." Secretary Cobb, in reporting the case to the Committee on Claims in the Senate, March 19, 1858, in conclusion of his report, says: "I can only say that the petitioner's statement of facts (which are verified by the records of the department, so far as they relate to matters of record) presents to my mind a well-grounded application, and I recommend that relief be afforded." A bill was introduced, passed the Senate, and not reached in the House. They report the following bill, and recommend its passage.

CLARENCE KRAL.

Witness, Bill No. 31.

March 1, 1859.

Mr. McNamee, from the Committee on Commerce, made the following

REPORT.

The Committee on Commerce, to whom were referred the memorial of
Clarence Kral, and a bill for his relief, beg leave to submit the fol-
lowing report:

Mr. Kral entered into contract with the Secretary of the Treasury
on the 6th of December, 1857, to supply the cast and wrought iron
for the custom house at New Orleans. Having supplied a portion of
the wrought-iron work and presented his bill, the Secretary refused
payment on the ground that the price was excessive, and he was con-
strained to enter into a supplementary contract, January 6, 1858,
modifying the price; on the 25th January, 1858, a further concession
was made by an additional supplementary contract.

From an examination of the whole case, it appears that while the
price in the original for wrought iron was extravagant, the rates for
cast iron were below the cost. The contractor agreed to a reduction of
the former, and asks that the Secretary be authorized to refund such
refund in the latter as he deems proper.

The original Major Howard, to whom the case was referred, says:
"In my judgment he must lose money on the cast iron." Again he
says: "Inasmuch as the supplementary contract was in a degree
demanded, and the exercise of a doubtful right it appears to me that
principles of justice and equity applied to this case would give Mr.
Kral relief." Secretary Cobb, in reporting the case to the Com-
mittee on Claims in the Senate, March 19, 1858, in conclusion of his
report, says: "I can only say that the petitioner's statement of facts
(which are verified by the records of the department) so far as they
relate to matters of recent events to my mind is well-founded, and
entirely and reasonably true, and that he is entitled to a bill for relief."
The bill was introduced in the House, and referred to the Committee
on Commerce, and recommended its passage.

Should relief be granted in this case, it would be a precedent for the
relief of other persons who have been similarly treated, and it would be
the work of a few days to settle the accounts of the whole country.